



## **SPECIAL PERMIT APPLICATION**

### **CITY OF WORCESTER ZONING BOARD OF APPEALS**

455 Maint Street, Room 404: Worcester, MA 01608

Phone 508-799-1400 Ext. 31440 - Fax 508-799-1406

**TYPE OF SPECIAL PERMIT** (check the Special Permit you are requesting and describe what you are requesting)

1. ☐ Extension, Alteration or Change of a Privileged Pre-existing, Nonconforming Structure and/ or Use (Article XVI, Section 4)
2. ☐ Residential Use allowed only by Special Permit (Article IV, Section 2, Table 4.1)
3. ☐ Non-Residential Use allowed only by Special Permit (Article IV, Section 2, Table 4.1)
4. ☐ Non-Accessory Sign (Article IV, Section 6)
5. ☐ Residential Conversion (Article IV, Section 9)
6. ☐ Placement of Fill/Earth Excavation (Article IV, Section 5)
7. ☒ Modification of Parking/Loading Requirements (Article IV, Section 7)
8. ☒ Modification of Landscaping Requirements for Parking/Loading (Article IV, Section 7)
9. ☐ Other Special Permit (Describe Special Permit sought):

1. Assessor's **ADDRESS OF SUBJECT PROPERTY:** 563 Salisbury Street

(List property subject to the application and include any lot numbers. Please note: The street number may be different than the Assessor's address).

2. Is this property known by any other address: No

3. **OWNER OF RECORD:** Alan A. Dyrmi and Erjona I. Mehillas

(The owner of record is the person or entity who owns title to the property as of today's date)

4. Address (es) of owner of record is /are 563 Salisbury Street, Worcester, MA 01609

5. Worcester District Registry of Deeds (WDRD) Book(s) 63156, Page(s) 2

(List Book and Page number of deed filed for the subject property as recorded at the WDRD)

6. City of Worcester Assessor's Office Map 25 Block 051 Lot 00017

(List

MBL number for the subject property as listed at Assessor's Office)

7. **NAME OF APPLICANT(S):** Alan A. Dyrmi and Erjona I. Mehillas

8. Address of Applicant: 563 Salisbury Street, Worcester, MA 01609

9. Telephone: c/o DJO (508)755-5655

10. Email: c/o DJO djo@oneilbarrister.com

11. Check if you are an: owner (s) ☒, lessee (s) ☐, optionee (s) ☐ (If you are not the owner of the subject property and are a lessee or optionee, it is recommended that you provide supporting information such as a lease or a purchase and sale agreement that shows your interest in the property.)

12. Zoning district(s) of the property (Indicate if more than one zoning district and any zoning overlay districts):

RS-10

13. Describe what is presently located on the property (Use as much detail as possible including all uses and square footage of each use):

Single Family detached dwelling with paved driveway access and back up area.

14. The applicant seeks to (Describe what you want to do on the property in as much detail as possible):

Provide back up area within front yard setback to allow for safe exit onto Salisbury Street in high traffic area.

15. Such a use is permitted only by the City of Worcester Zoning Ordinance under Article (Insert Article, Section (s) of the Zoning Ordinance which permits the proposed used of the property):

Article II. Section 6A2

16. Are you aware if this property has been previously granted approvals from any City Board or Commission?

If so, please list (Provide dates of previous approvals, book and page numbers and/or certificate numbers of any recorded decisions and/or recorded/registered land. Also, please provide copies of previous recorded decisions):

Unknown

17. Have you applied for or are you aware if other applicants have applied for a Building Permit for this site and been refused for non-compliance with the Zoning Ordinance (e.g. a cease and desist order has been issued)? If so, explain:

N/A

18. List any additional information relevant to the Special Permit (s):

See additional attachment A detailing site conditions and considerations requiring modification of Article V. Section 7 requirements.

## **SPECIAL PERMIT FINDINGS OF FACT**

**In the spaces below explain how the adverse effects of the proposed use will not outweigh its beneficial impacts to the City with respect to each of the following considerations per Article II, Section 6(A)(2) of the Zoning Ordinance. (Attach additional supporting documentation as necessary.)**

1. Social, economic or community needs that are served by the proposal:

Proposed relief will allow for safe access onto Salisbury Street when exiting the property to the benefit of the property owners and their guests.

2. Traffic flow and safety, including access, parking and loading areas:

Existing traffic conditions necessitate relief from the front yard paving limit of 30% in RS-10 Zones to allow for the installation of a backup area required for safe entry onto Salisbury Street in high traffic area.

3. Adequacy of utilities and other public services:

Existing utilities and public services are adequate in all respects.

4. Neighborhood character and social structure:

The proposed paved back up area, as modified, is entirely consistent with surrounding properties dealing with similar adverse traffic conditions on Salisbury Street.

5. Impacts on the natural environment:

No negative impacts anticipated as the site is already fully developed.

6. Potential fiscal impact, including city services needed, tax base, and employment:

There are no fiscal impacts presented by relief sought.

WHEREFORE, the applicant(s) requests that this Board grant the special permit (s) as requested above.

By: [Signature]  
(Signature of Applicant or Applicant's Agent)  
If more than one applicant, all applicants must fill out information.

Alan A. Dyrmi and Erjona J. Mehillas  
(Name of Applicant)

563 Salisbury Street Worcester MA 01609  
(Address)

(508)755-5655 c/o DJO  
(Contact Phone Number)

djo@oneilbarrister.com c/o DJO  
(Email)

December 29, 2021  
(Date)

By: [Signature]  
(Signature of Property Owner or Owner's Agent)  
If more than one property owner, all owners must fill out information.

Alan A. Dyrmi and Erjona J. Mehillas  
(Name of Property Owner)

563 Salisbury Street Worcester MA 01609  
(Address)

(508)755-5655 c/o DJO  
(Contact Phone Number)

djo@oneilbarrister.com c/o DJO  
(Email)

December 29, 2021  
(Date)

**Residential Conversion  
(Article IV, Section 9)**

1. Total number of existing units/Total number of proposed units:
  
  
  
  
  
  
  
  
  
  
2. Will the external appearance of the structure remain unchanged except for new doors, windows, fire escapes, and stairways?
  
  
  
  
  
  
  
  
  
  
3. Number of off-street parking spaces to be provided (If new parking is being created, the applicant(s) may need to seek a Special Permit for extension, alteration or change of a pre-existing, nonconforming structure if existing structure does not meet current zoning dimensional requirements. If additional parking cannot be provided for new dwelling unit(s), the proposed conversion may also require a Variance or Special Permit from off-street parking requirements):
  
  
  
  
  
  
  
  
  
  
4. Which dimensional requirements/setbacks are you seeking relief by the Special Permit?

**Placement of Fill/Earth Excavation  
(Article IV, Section 5)**

1. Indicate whether the Special Permit is for Placement of Fill or Earth Excavation:
  
  
  
  
  
2. Attach documentation showing proposed measures to protect pedestrians and vehicles.
  
3. Provide a proposed timeline for completion of placement of fill.
  
4. Attach documentation from the Director of Public Health and the Conservation Commission as outlined in the City of Worcester Zoning Ordinance Article IV, Section 5.
  
5. Attach a site plan with all required information in support of the application per the City of Worcester Zoning Ordinance Article IV, Section 5.

**Modification of Parking/Loading Requirements  
(Article IV, Section 7)**

1. Indicate what relief is being sought under the Special Permit:  
Applicant seeks relief from 30 % paving limitation for front yard setback areas in RS-10 Zones.

2. If applicable, indicate locations, square footages, and dimensions of relief sought under the Special Permit:

Applicant was unaware of paving limitations and has already installed paving and a stone rip rap curtain in front yard setback area in excess of 30 % limit on same. Current area coverage is 78%. Applicant proposes to redesign parking layout to reduce total paved area to 42% by eliminating approximately 1,300 square feet of pavement and rip rap. Relief from 30% limit is required due to dangerous traffic conditions existing on the section of Salisbury Street in front of the subject premises. ■

3. If applicable, provide number of parking/loading spaces required and relief requested through the Special Permit:

N/A

<b>Other Special Permits</b>
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1. Describe Special Permit sought and provide relevant details on the plan of land and rendering. Provide square footage and height of any structures and indicate percentage of lot structure will occupy:

**CERTIFICATION OF COMPLIANCE WITH WORCESTER REVISED ORDINANCES GOVERNING REVENUE  
COLLECTION**

**\*Note: This form must be completed and signed by both the applicant(s) and owner(s) of the property certifying payment of all local taxes, fees, assessments, betterments, or any other municipal charges of any kind. Failure to include a fully completed certification form with the application shall result in the application being deemed incomplete and ineligible for further processing by the Zoning Board of Appeals.**

Pursuant to Massachusetts General Law, Chapter 40, Section 57 and the City of Worcester General Revised Ordinance, Chapter 11, Section 26-28, the undersigned applicant and all parties having an ownership interest therein, hereby certify, under the pains and penalties of perjury, that the applicant(s) and owner(s) have complied with the laws of the Commonwealth of Massachusetts and the City of Worcester regarding payment of all local taxes, fees, assessments, betterments or any other municipal charges of any kind.

(Give first and last names in full. In case of a corporation give names of President, Treasurer and Manager; and in case of firms, give names of individual members.)

**(1) If a Proprietorship or Single Owner of residential property:**


Name of Owner Alan A. Dyrmi and Erjona I. Mehillas

Business Address \_\_\_\_\_

Home Address 563 Salisbury Street, Worcester MA 01609

Business Phone 508-755-5655 Home Phone \_\_\_\_\_

Signature of owner (certifying payment of all municipal charges):

 Date: 12/29/21  
Alan A. Dyrmi & Erjona I. Mehillas

**(2) If a Partnership or Multiple Owners of residential property:**

Full names and address of all partners

Printed Names

Addresses

_____	_____
_____	_____
_____	_____
_____	_____

Business Address \_\_\_\_\_

Business Phone \_\_\_\_\_

Signature of all owners of property (certifying payment of all municipal charges -attach multiple pages if necessary)

_____	Date: _____
_____	Date: _____
_____	Date: _____
_____	Date: _____

Edward M. Augustus, Jr.  
CITY MANAGER



Timothy J. McGourthy  
CHIEF FINANCIAL OFFICER

Samuel E. Konieczny  
CITY ASSESSOR

CITY OF WORCESTER

ADMINISTRATION & FINANCE

## Abutters Map





Edward M. Augustus, Jr.  
CITY MANAGER



Timothy J. McGourthy  
CHIEF FINANCIAL OFFICER

Samuel E. Konieczny  
CITY ASSESSOR

CITY OF WORCESTER

ADMINISTRATION & FINANCE

### Certified Abutters List

A list of 'parties in interest' shall be attached to the application form and shall include the names and addresses. All such names and addresses shall be obtained from the most recent applicable tax list maintained by the City's Assessing Department. The Assessing Department certifies the list of names and addresses.

Total Count: 29

Parcel Address: 563 SALISBURY ST  
Assessor's Map-Block-Lot(s): 25-051-00017

Owner: DYRMI, ALAN + MEHILLAJ, ERJONA I  
Owner Mailing: 563 SALISBURY ST  
WORCESTER, MA 01609-1307

Petitioner (if other than owner): DONALD O'NEIL  
Petitioner Mailing Address: 688 PLEASANT ST  
WORCESTER, MA 01602  
Petitioner Phone: 508-755-5655

Planning:        Zoning: X Liquor License:        ConComm:         
Historical:        Cannabis:        Other:       

55-001-00026	GILLIN WILLIAM J + JERID(LIFE EST)	0556 SALISBURY ST	WORCESTER MA 01609
25-051-00017	DYRMI ALAN A + MEHILLAJ ERJONA I	0563 SALISBURY ST	WORCESTER MA 01609
55-001-0004A	NORLING CLAYTON A + SUSAN M	0586 SALISBURY ST	WORCESTER MA 01609
55-001-00003	BELL JOHNS + CAROL L	0005 OLD ENGLISH RD	WORCESTER MA 01609
55-001-09+10	ASSUMPTION COLLEGE	0500 SALISBURY ST	WORCESTER MA 01609
55-001-13+21	GORENXA LULEZIM + ANASTASIA	0576 SALISBURY ST	WORCESTER MA 01609
55-001-00002	ASSUMPTION COLLEGE	0500 SALISBURY ST	WORCESTER MA 01609
55-001-00008	ZAMARRO CARMINE(LIFE ESTATE)	0564 SALISBURY ST	WORCESTER MA 01609
55-001-00025	ASSUMPTION COLLEGE	0500 SALISBURY ST	WORCESTER MA 01609
25-051-00009	TANONA JEFFREY A +	0575 SALISBURY ST	WORCESTER MA 01609
25-051-00010	CONRAD MICHAEL +	0288 MORELAND ST	WORCESTER MA 01609
25-051-00001	WANG XUJIE + YIXUAN	0004 FLOWER HILL DR	WORCESTER MA 01609
25-051-00016	THOMPSON WILLIAM + PATRICIA A	0567 SALISBURY ST	WORCESTER MA 01609
25-051-00013	CALLINAN ERIC M +	0559 SALISBURY ST	WORCESTER MA 01609
25-051-00007	SIFF LAWRENCE A + KAREN A EXKORN	0533 DUDLEY ROAD	NEWTON MA 02459
25-051-00015	MURRAY MICHAEL B +	0555 SALISBURY ST	WORCESTER MA 01602
25-051-00014	MURRAY MICHAEL B +	0555 SALISBURY ST	WORCESTER MA 01609
25-051-00008	WANG XUJIE + YIXUAN	0004 FLOWER HILL DR	WORCESTER MA 01609
25-042-06+1A	ALBANIAN ORTHODOX CHURCH OF	535 SALISBURY STREET	WORCESTER MA 01609
25-051-00004	MYZYRI DANIEL	0008 FLOWER HILL DR	WORCESTER MA 01609
25-051-00003	ROBILLARD RICHARD L	0006 FLOWER HILL DR	WORCESTER MA 01609

55-001-00001	MONFREDA DEREK + MEREDITH	0572 SALISBURY ST	WORCESTER MA 01609
25-051-00005	HAROUTIAN PETER	0676 PLEASANT ST	WORCESTER MA 01602
55-004-00001	ASSUMPTION COLLEGE	0500 SALISBURY ST	WORCESTER MA 01609
25-042-02B-2	ILLYRIAN GARDENS INC	0545 SALISBURY ST	WORCESTER MA 01609
25-042-02B-1	ILLYRIAN GARDENS INC	0545 SALISBURY ST	WORCESTER MA 01609
25-042-00006	ALBANIAN ORTHODOX CHURCH OF	535 SALISBURY STREET	WORCESTER MA 01609
25-042-06+1B	ALBANIAN ORTHODOX CHURCH OF	535 SALISBURY ST	WORCESTER MA 01609
25-042-006+2	ILLYRIAN GARDENS INC	545 SALISBURY STREET	WORCESTER MA 01609

This is to certify that the above is a list of abutters to Assessor's Map-Block-Lot(s) 25-051-00017 as cited above.

Certified by:

Samuel E. Konieczny

Signature

12/27/2021

Date

## ATTACHMENT A

The following properties are within the limits of the curved layout along Salisbury Street and have addressed the issue of access into Salisbury Street as follows :

515 Salisbury St has a large amount of frontage ( 149'+/-) which allows a turn around area in the front yard setback which is approximately 28% of the setback area.

521 Salisbury St. has 93' +/- of frontage and is using approximately 48% of the front yard setback for driveway area.

525 Salisbury St. has 88'+/- of frontage and has less than 30% of driveway area in the front yard, setback but has a vehicle turn around area that is not in the front yard setback.

531 Salisbury St. has 84' +/- of frontage and has less than 30% of driveway area in the front yard, setback but has a vehicle turn around area that is not in the front yard setback.

555 Salisbury St. has 100' +/- of frontage and has less than 30% of driveway area in the front yard, setback but has a small vehicle turn around area that is not in the front yard setback.

567 Salisbury St. has 79' +/- of frontage but does not access Salisbury street directly. It has a driveway access off of the side street on Flower Hill Drive.

575 Salisbury St. has 79' +/- of frontage but does not access Salisbury street directly. It has a driveway access off of the side street on Moreland Street.

Please find the attached Existing Conditions Plan along with the Proposed Driveway Location Plan if we eliminate a portion of the Existing Pavement & Rip-Rap.

The Paved area is currently 78% of the front yard setback and we could propose a turn around area that would result in an area of 42% in the front yard setback.

**SALISBURY STREET**  
**(PUBLIC - VARIABLE WIDTH)**

N/F  
ALBANTIAN ORTHODOX CHURCH  
# 1 FLOWER HILL DRIVE  
MBL: 25-042-06+1A  
W.D.R.D. Book 6753 Page 252

**Worcester, MA  
#563 Salisbury Street  
Owned by:  
Alan A. Dyrmi & Erjona L. Mehilla**

DATE: DECEMBER 7, 2021 SCALE: 1" = 20'



MBL : 25-091-00017  
W.D.R.D. Deed Book 63156 Page 1  
**ZONE : RS-10**  
Building Setbacks  
Front Yard - 25Ft.  
Side Yard - 10Ft.  
Rear Yard - 20Ft.

Robert D. O'Neil Jr. RPLS  
66 DRURY LANE  
WORCESTER, MA 01609  
(508) 868-5144



NOTES:  
FRONT YARD SETBACK AREA = 3600 SF  
ALLOWED IMPERVIOUS AREA IN FRONT YARD SETBACK = 30 %  
PROPOSED IMPERVIOUS AREA IN FRONT YARD SETBACK = 42 %

